

REMARKS**Overview**

Claims 21-22 and 24-35 are pending in this application. Claims 21 and 26 have been amended. Claim 23 has been cancelled. The present response is an earnest effort to place all claims in proper form for immediate allowance. Reconsideration and passage to issuance is therefore respectfully requested.

Issues Under 35 U.S.C. § 103

Claims 21-35 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,805,152 to Furusawa. Claim 23 has been cancelled, thereby mooting that rejection. The remaining rejections are respectfully traversed.

With respect to claim 21, the Examiner already recognizes that Furusawa does not disclose "transmitting bar code data to a computing device." Furusawa is merely directed towards a video presentation system (Abstract). Furusawa discloses that video data is displayed on a video display (Abstract). There may be an identifier containing a bar code that is a part of the video data. Furusawa discloses scanning the bar code either through use of a physical hand held bar code reader or through image processing an area of the video that contains the bar code. Once the bar code is analyzed, data is requested from a database based on the identifier encoded in the bar code.

The use of bar codes in Furusawa is significantly different from the use of bar codes in the Applicants' claimed invention. In particular, the sole purpose of the bar code in Furusawa is to perform as an identifier for an object within an image, from a set of known identifiers

contained within a database. This is significantly different than the data interchange function of the Applicants' claimed invention.

Furusawa, by not disclosing the step of "transmitting" does not disclose or recognize and appreciate the use of bar codes not merely as identifiers, but as a manner in which to interchange data between different computers, different software applications, and different systems. In the system of Furusawa, identifiers in the database correspond with identifiers read from bar codes. Therefore, at best, Furusawa discloses selection of a service linkage based on an identifier contained within the bar code. The identifier recognized in Furusawa is also contained within a database of Furusawa. Thus, Furusawa does not provide for data interchange.

Claim 21 has been amended to include the limitation of claim 23 and further to explicitly require "data interchange." Claim 21 now requires "creating a bar code data for data interchange." Furusawa does not disclose this limitation, nor is Furusawa directed towards the problem of data interchange. Rather, Furusawa is directed towards the selection of objects within video images. When the language of claim 21 is properly considered along with the difference in problems addressed by Furusawa and the present invention, it becomes clear that Furusawa does not teach or suggest data interchange and claim 21 is patentable over Furusawa. Therefore, it is respectfully submitted that this rejection to claim 21 should be withdrawn on that basis. As claims 22-25 depend from claim 21, it is respectfully submitted that these rejections should be withdrawn as well.

There is an independent reason for patentability of claim 22. Claim 22 requires "a first software application is executing on the computing device during the step of displaying and wherein the step of using the information is using the information within a second software application executing on the computing device." Claim 22 further relates to data interchange

which is not disclosed by Furusawa. It is also observed that the Examiner has not properly considered claim 22. Claim 22 does not merely require that the computing device have two applications running, but rather that the bar code data that is transmitted to the computing device is decoded and used in a different application. In Furusawa, the bar code only contains identifier information which is used as a selection. In Furusawa, the data management means 23 then accesses information based on the identifier. Furusawa does not disclose that after this request is made to the data management means that the identifier is used for any other purpose and does not disclose that the identifier (contained within the bar code) is used in any other application.

Therefore, this rejection to claim 22 should be withdrawn for this independent reason as well.

Claim 26 has been amended to make clear that the methodology provides for bar code data interchange. Claim 26 requires "the bar code associated with a first source of data" and that the scanned bar code is converted "into data accessible by the computing device to provide interchange of data from the first source to the computing device." These limitations are neither disclosed by, nor obvious based on Furusawa. Furusawa simply does not disclose the idea of interchange of data from one computing device or application to a second computing device or application. This is clear because Furusawa discloses a video presentation system where a user selects portions of an image by scanning the bar code associated with those portions of the image. Furusawa does not recognize or appreciate the use of bar codes to provide data interchange over video systems. The database of Furusawa is such that it is clear that there is an association between each identifier and data in the database. Therefore, although it is not known which bar code a user might select, the set of identifiers (and therefore associated bar codes) that a user will select is known and the user selection will come from the set. Thus, Furusawa simply provides a user interface for selection of bar codes from a video. Furusawa does not disclose,

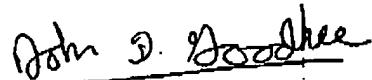
teach or suggest using a video bar code as a means of data interchange between computers or between software applications. Therefore, it is respectfully submitted that this rejection to claim 26 should be withdrawn. As claims 27-35 depend from claim 26, it is respectfully submitted that these rejections should also be withdrawn.

Conclusion

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



JOHN D. GOODHUE, Reg. No. 47,603
McKEE, VOORHEES & SEASE, P.L.C.
801 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
Phone No: (515) 288-3667
Fax No: (515) 288-1338
CUSTOMER NO: 22885

Attorneys of Record

- bja -